

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

ROBERTO DURAND,

Plaintiff

v.

MARITZA,

Defendant

Case No. 3:22-cv-00371-MMD-CLB

ORDER

(ECF Nos. 4, 5, 6)

I. DISCUSSION

On September 15, 2022, this Court ordered Plaintiff to file a fully complete application to proceed *in forma pauperis* or pay the full \$402 filing fee for a civil action on or before November 15, 2022. (ECF No. 3 at 2.) The Court explained that Plaintiff's initial application to proceed *in forma pauperis* was incomplete because Plaintiff had not included a financial certificate or an inmate account statement for the previous six-month period. (*Id.* at 1.)

Plaintiff has filed three new applications to proceed *in forma pauperis* (ECF Nos. 4, 5, 6.) Each of these new applications includes a financial certificate, but none of them includes an inmate account statement for the previous six-month period. Because none of the new applications to proceed *in forma pauperis* include an inmate account statement for the previous six-month period, all three applications are incomplete, and the Court denies all three applications without prejudice.

Because it appears that an extension of the initial deadline and another court order are meaningful alternatives to dismissal here, the Court will grant Plaintiff **one final opportunity** to submit an inmate account statement for the previous six-month period to the Court on or before **January 23, 2023**. See *Henderson v. Duncan*, 779 F.2d 1421, 1424 (9th Cir. 1986) (providing that "district court need not exhaust every sanction short of dismissal before finally dismissing a case, but must explore possible and meaningful alternatives").

For the foregoing reasons, IT IS ORDERED that Plaintiff's applications to proceed *in forma pauperis* (ECF Nos. 4, 5, 6) are denied without prejudice.

IT IS FURTHER ORDERED that, if Plaintiff does not timely comply with this order, this case will be subject to dismissal without prejudice for Plaintiff to refile the case with the Court, under a new case number, when Plaintiff is able to submit a fully complete application to proceed *in forma pauperis* or pay the full \$402 filing fee for a civil action.


UNITED STATES MAGISTRATE JUDGE